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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/761,930 | 01/20/2004 | Susan Wilson | 15746-049001 |

26181
 FISH & RICHARDSON P.C.
 3300 DAIN RAUSCHER PLAZA
 MINNEAPOLIS, MN 55402



CONFIRMATION NO. 2168
 FORMALITIES LETTER



OC000000012444240

Date Mailed: 04/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/09/2004 BABRAHA1 00000010 10761930

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 OP
 02 FC:1051 130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.) (see 37 CFR 1.84(u)(1)). See Figure(s) 9B: (there are 2 figures, but only figure 9A is labeled; there is no label for figure 9B as described in the spec).

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$900 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

P. Phuong

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wilson et al.

Art Unit : 3728

Serial No. : 10/761,930

Examiner : Unknown

Filed : January 20, 2004

Title : MULTI-LAYER HONEYCOMB SOLE

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed April 26, 2004 (copy enclosed), applicant as a large entity submits herewith the following:

- ☒ Payment of the basic filing fee of \$770;
- ☒ Payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration;
- ☒ A check in the total amount of \$900 is attached;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☒ A replacement drawing that complies with the size requirements and that is clear and in permanent ink. The replacement contains the same material as the drawing on deposit;
- ☒ Other: A check in the amount of \$420 for the Two-Month Extension of Time Fee.

08/09/2004 BABRAHA1 00000010 10761930

03 FC:1252

420.00 OP

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

August 3, 2004

Signature

Carlos A. Brasil

Typed or Printed Name of Person Signing Certificate

Carlos A. Brasil

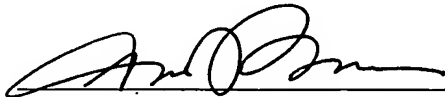
Applicant : Wilson et al.
Serial No. : 10/761,930
Filed : January 20, 2004
Page : 2 of 2

Attorney's Docket No.: 15746-049001

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other appropriate charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 3, 2004



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